

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING
APRIL 3, 2013**

President Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Secretary Josh Gunselman took roll call as follows:

Jerry Uebelhor, Chairman	-Present	Randy Mehringer	-Present
Brad Schnarr, Vice Chairman	-Present	Bob Cook	-Present
Josh Gunselman, Secretary	-Present	Darla Blazey, Director of Community Development / Planning	-Present
		Renee Kabrick, City Attorney	-Present

PLEDGE OF ALLEGIANCE

President Uebelhor led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the March 6, 2013 Regular Meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Secretary Gunselman seconded it. Motion carried 5-0.

STATEMENT

President Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

NEW BUSINESS

Petition of Lois Lechner (as owner) and Kenneth Gercken (as petitioner) for a variance to build within 35 feet of the front yard (36th street) and a variance from Section 16.02.140 (Height Regulations).

Kenneth Gercken was present to request a variance to construct a 30ft. x 120ft. accessory building on some property he plans to purchase located at 327 E. 36th Street. Due to the size of the proposed accessory building, a variance of 25 feet is needed for the front yard setback along 36th Street. Also present was Roger Thacker, of B & A Construction. Mr. Thacker displayed a sketch of the proposed building, which includes five garage doors in front and an access door in back. The front of the building would face the house. Mr. Gercken plans to use the building for storage of his recreation equipment and a hobby wood-working shop.

Jerry and Ann Hilgefort, adjacent property owners, remonstrated against the building. They expressed concerns regarding the size and appearance of the building. The Hilgefords said they plan to build a new home on the adjacent property. According to the Hilgefords, their new home would be located only 39 feet from the proposed building. The Hilgefords presented their opinion that the proposed building is too large and commercial-looking and does not belong in a residential neighborhood.

The Board shared similar concerns regarding the size of the accessory building. Board member Bob Cook explained that the City's ordinance does not include a maximum square footage for accessory buildings. The Board discussed the proximity of the proposed building to 36th Street. Mr. Gercken requested a 35-foot variance of the front yard set-back. Board members discussed several options.

Following discussion, Bob Cook made a motion to close the public hearing. Vice President Schnarr seconded it. Motion carried 5-0.

Bob Cook made a motion to deny a variance to build an accessory building within 35 feet of the front yard (36th Street). Secretary Gunselman seconded it. Motion carried 5-0.

Mr. Gercken withdrew his request for a height variance.

Petition of Allen Laake for a variance to build within 21.92 feet of the rear yard.

Brad Eckerle, of Brosmer Land Surveying, was present on behalf of Allen Laake to request a variance to build within 21.92 feet of the rear yard on a lot located northwest of the intersection of Gun Club Road and Woodlawn Drive. Mr. Eckerle explained to the Board that in 1999 a special exception was granted to allow a single-family dwelling on the proposed lot. The property is zoned B-3, therefore, the property owner must meet the City's setback standards in a B-3 zone, which requires a 25-foot rear yard setback. Mr. Laake plans to build a home on the lot, which would front Woodlawn Drive.

There were no remonstrators present. Following some discussion, Vice President Schnarr made a motion to close the public hearing. Bob Cook seconded it. Motion carried 5-0.

Vice President Schnarr made a motion to grant a variance allowing a setback reduction of four feet from the rear property line. Secretary Gunselman seconded it. Motion carried 5-0.

Petition of Access Storage Now Ventures, LLC, for a special exception to allow a medical clinic in a B-3 zone.

Brad Eckerle, of Brosmer Land Surveying, was present on behalf of Access Storage Now Ventures, LLC to request a special exception to allow a medical clinic to be operated in the building of the former Fitness Factory complex, located on the south side of Second Street. An outpatient clinic, consisting of 14 exam rooms, four education rooms, three therapy rooms, five assessment areas, three procedure rooms and a radiology area, would be operated by Memorial Hospital and Health Care Center.

There are currently 150 available parking spaces. Following approval from the Common Council to vacate a Public Utility and Drainage easement on the south side of the building, plans are to utilize the former tennis court area to provide additional parking.

With no remonstrators present, Bob Cook made a motion to close the public hearing. Secretary Gunselman seconded it. Motion carried 5-0.

Bob Cook made a motion to grant a special exception to allow a medical clinic in a B-3 zone. Vice President Schnarr seconded it. Motion carried 5-0.

Update of Zoning Ordinance and Subdivision Control Ordinance

Darla Blazey, Director of Community Development and Planning, shared with the Board that she will be requesting permission from the Jasper Plan Commission to seek help from other firms to update the Zoning Ordinance and Subdivision Control Ordinance. Ms. Blazey said money for the project was approved during last year's budget hearings.

ADJOURNMENT

With no further discussion, Bob Cook made a motion to adjourn the meeting, seconded by Vice President Schnarr. Motion carried 5-0, and the meeting was adjourned at 7:33 p.m.

Jerry Uebelhor, Chairman

Josh Gunselman, Secretary

Kathy M. Pfister, Recording Secretary